

07-05-01 A

Practitioner's Docket No. 3003-37

PATENT

07/03/01  
J962 U.S. PTO

Preliminary Classification:  
Proposed Class:  
Subclass:

JC821 U.S. PTO  
09/898358  
07/03/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Fred A. Fensel; Daniel Lamar Healy; Michael Edward Klammer

For (title): METHOD OF PROCESSING BITUMEN-POLYMER BLENDS OF IMPROVED  
QUALITY

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10\*

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37 C.F.R. Section 1.8(a)

37 C.F.R. Section 1.10\*

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TRANSMISSION

transmitted by facsimile to the Patent and Trademark Office (703) \_\_\_\_\_.

Date: 3 July 2001

Steph L. Grant  
Signature

Stephen L. Grant

(type or print name of person certifying)

**\*WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).

"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

**1. Type of Application**

This transmittal is for an original (nonprovisional) application.

**2. Papers Enclosed**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

8 Page(s) of Specification

3 Page(s) of Claims

1 Sheet(s) of Drawing(s)--Formal

B. Other Papers Enclosed

4 Page(s) of declaration and power of attorney

1 Page(s) of abstract

**3. Declaration or Oath**

Enclosed

Executed by:

\* inventors.

**4. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**5. Language**

English

**6. Assignment**

An assignment of the invention to The Garland Company Inc. is attached. A separate FORM PTO 1595 is also attached.

7. **Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

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CLAIMS AS FILED

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Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$710.00
Total Claims (37 CFR 1.16(c))	18	- 20 =	0 x	\$18.00	\$0.00
Independent Claims (37 CFR 1.16(b))	3	- 3 =	0 x	\$80.00	\$0.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$270.00	\$0.00
Filing Fee Calculation					\$710.00

8. **Small Entity Statement(s)**

Status as small entity was claimed in prior application 60/257,243, filed on December 20, 2000, from which benefit is being claimed for this application under 35 U.S.C. SECTION 119(e), and which status as a small entity is still proper and desired.

Filing Fee Calculation (50% of above) \$355.00

9. **Fee Payment Being Made at This Time**

Enclosed

Filing Fee \$355.00

Recording assignment (\$40; 37 C.F.R. Section 1.21(h)) (See attached) \$40.00

"COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION".)

<b>Total Fees Enclosed</b>	<b>\$395.00</b>
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**10. Method of Payment of Fees**

Check in the amount of \$395.00 is attached.

**11. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 15-0450.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

**12. Instructions as to Overpayment**

Refund.

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF  
PRIOR U.S. APPLICATION CLAIMED**

**13. Relate Back**

Amend the specification by inserting, before the first line, the following sentence:

**A. 35 U.S.C. Section 119(e)**

"This application claims the benefit of U.S. Provisional Application No.:

<b>APPLICATION NO.</b>	<b>FILING DATE</b>
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60/257,243	12/20/2001
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**15. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

a. This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application, the inventors in this application are more than in the prior application. The following additional inventors have been added:

Daniel Lamar Healy  
Michael Edward Klammer

b. The inventorship for all the claims in this application is the same.

**16. Small Entity (37 C.F.R. Section 1.28(a))**

Applicant has established small entity status by the filing of a statement in parent application 60/257,243 on December 20, 2000.

Date: 3 June 2001

Stephen L. Grant  
Signature of Practitioner

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